

August 25, 1999

COMMISSION VOTING RECORD

DECISION ITEM: SECY-99-193

TITLE: COST ESTIMATES FOR COMPLETION OF FORMERLY TERMINATED NRC LICENSED SITES PROGRAM

The Commission (with all Commissioners agreeing) approved the subject paper as recorded in the Staff Requirements Memorandum (SRM) of August 25, 1999.

This Record contains a summary of voting on this matter together with the individual vote sheets, views and comments of the Commission, and the SRM of August 25, 1999.

Annette Vietti-Cook
Secretary of the Commission

Attachments: 1. Voting Summary
2. Commissioner Vote Sheets
3. Final SRM

cc: Chairman Dicus
Commissioner Diaz
Commissioner McGaffigan
Commissioner Merrifield
OGC
EDO
PDR
DCS

VOTING SUMMARY - SECY-99-193

RECORDED VOTES

	APRVD	DISAPRVD	ABSTAIN	NOT PARTICIP	COMMENTS	DATE
COMR. DICUS	X				X	8/5/99
COMR. DIAZ	X					8/3/99
COMR. McGAFFIGAN	X				X	8/13/99
COMR. MERRIFIELD	X					8/9/99

COMMENT RESOLUTION

In their vote sheets, all Commissioners approved the staff's recommendation and provided some additional comments. Subsequently, the comments of the Commission were incorporated into the guidance to staff as reflected in the SRM issued on August 25, 1999.

Commissioner Comments on SECY-99-193

Chairman Dicus

I approve the approach outlined in SECY-99-193 for the General Fund appropriation to be forwarded to the Office of Management and Budget (OMB) as Part of the FY 2001 budget request which, if approved, would allow the staff to establish an NRC grant program for funding the cleanup of formerly

licensed sites in Agreement States. In addition, I would ask that the stakeholder views concerning the use of the General Fund appropriation for this program be included as a supplement to the legislative package proposal to ensure that OMB and Congress is aware of our stakeholder concerns and support.

For clarity, I also request that the Figure G.1 be clarified as indicated in my attached mark-up, so that it is clear that NRC will not approve grants in Agreement States that do not have a 0.25 millisievert (25 millirem) per year license termination regulation.

Commissioner McGaffigan

I approve the staff approach for forwarding a General Fund appropriation request for fiscal year (FY) 2001 to the Office of Management and Budget (OMB). I also commend the staff for its timely and thorough response to previous Commission direction on this issue.

I assume that the NRC costs associated with closing out formerly-licensed sites located in non-Agreement States and the FTE associated with administering the grant program for Agreement State sites are included in the "generic decommissioning and reclamation" budget category. We have previously identified this category as raising fairness and equity issues since current NRC licensees derive no direct benefit from these efforts.

I suggest that the staff provide a copy of this paper and the Commission's direction on this paper to the commenters since there were relatively few of them in lieu of issuing a second Federal Register notice.

Finally, as the staff points out on page 5, this paper does not set forth or analyze the issues that would need to be considered before the Commission could propose legislation aimed at facilitating the cleanup of sites in non-Agreement States. I believe that we may need to develop a new paper on that subject. I agree with statements made by Commissioner Merrifield in the recent Commission briefing on the Low-Level Waste and Site Decommissioning Management Programs that the staff needs to explore various options to make funds available to complete remediation at those few sites where adequate funding is not available and the site would not qualify for cleanup by the Environmental Protection Agency.